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EXAMINER
BELIVEAU, SCOTT E

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/841,007	LEE, JAE KYUNG
	Examiner	Art Unit	
	Scott Beliveau	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 April 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-19,21-23 and 31-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-19,21-23 and 31-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 April 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Miscellaneous

1.   Please note that the examination art unit of record for this application has changed to

2623.

Drawings

2.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show every

feature of the invention specified in the claims. Therefore, the subject matter of claim 21 (in

light of claim 19) wherein the "language information comprises user language information

which defines the selected language and character language information which defines a

language of character information included in the signal" must be shown or the feature(s)

canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

the Office action to avoid abandonment of the application. Any amended replacement

drawing sheet should include all of the figures appearing on the immediate prior version of

the sheet, even if only one figure is being amended. The figure or figure number of an

amended drawing should not be labeled as "amended." If a drawing figure is to be canceled,

the appropriate figure must be removed from the replacement sheet, and where necessary, the

remaining figures must be renumbered and appropriate changes made to the brief description

of the several views of the drawings for consistency. Additional replacement sheets may be

necessary to show the renumbering of the remaining figures. Each drawing sheet submitted

after the filing date of an application must be labeled in the top margin as either

"Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Arguments

3.   Applicant's arguments filed 24 April 2006 has been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the suggestion, suggestion, or motivation is found in the references themselves.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on

obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But

so long as it takes into account only knowledge which was within the level of ordinary skill

at the time the claimed invention was made, and does not include knowledge gleaned only

from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443

F.2d 1392, 170 USPQ 209 (CCPA 1971).

In the instant case, Schein et al. is directed towards a system and method for enabling

broadcasters to provide subscribers with links to related online content (Col 1, Line 67 – Col

2, Line 17). The Schein et al. reference discloses and is relied upon to teach a network

television device or 'TV' architecture comprising a 'control unit', a 'storage unit', and a

'video processing unit' that is capable of accessing/retrieving information from the Internet

as well as order related information such as transcripts. With respect to applicant's

arguments regarding the nature of the transcript, the examiner is unable to find any disclosure

within Schein et al. so as to support the applicant's characterization of the transcript. Rather,

it is the examiner's characterization that the Schein et al. reference is simply silent with

respect to the nature of the transcript (ex. hard copy, being displayed in synch with audio,

etc.) and it does it provide any teachings that would dissuade one from utilizing any

particular composition of transcript.

The rejection subsequently relies upon Gibbon to teach the particular creation and

delivery of an Internet based or online transcript wherein the transcript enables the particular

display of a transcript 'in synch with audio'. Gibbon teaches a method wherein a user

requests a transcript (Col 2, Lines 8-12) and the system automates the creation of online

transcripts thereby improving the quality of the transcript and reducing the cost associated

with the manual labor traditionally involved in the online transcript creation process (Col 1, Lines 18-34; Col 15, Lines 12-21). The examiner concurs that the Gibbon reference is similarly silent with respect to the particular usage of 'translated closed captioned text', however, the reference is silent with respect to any teachings which would dissuade one from a modification to allow for the particular display of 'translated closed captioned text'. As previously set forth, the Schein et al. reference is silent as to the nature of the transcript and further suggests that it is desirable to link broadcaster online information with viewers and enables the viewer to order a transcript. The Gibbon reference teaches transcript generation method by which a broadcaster may quickly generate accurate online transcripts for delivery. Accordingly, it is the examiner's opinion that one would have been sufficiently motivated to utilize the particular transcript generation techniques of Gibbons in conjunction with the Schein et al. so as to improve the quality and speed of transcript delivery. The particular usage of web-page based transcripts and desirability to do so is knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, as evidenced by Gibbon.

Furthermore, assuming arguendo that Schein et al. actually taught the particular delivery of written transcripts, a modification to utilize the Gibbon video based transcripts would further be advantageous over the format of transcripts described by applicants given that the usage of video further advantageously conveys substantial information regarding the content of the program to the viewer over and above that provided by traditional transcripts (Gibbon et al. (US Pat No. 6,098,082): Col 1, Lines 17-25 and 55-65 – Explicitly incorporated by reference into Gibbon: Col 1, Lines 24-34).

Regarding the Berstis' reference, applicant's argue that the reference is limited to email correspondence which is not time sensitive and therefore is not 'closed caption character information which is displayed substantially in synch with corresponding audio information'. The examiner respectfully disagrees that the reference is limited to only email, rather, the reference explicitly states that the invention is directed towards the translation of incoming communications including internet/web pages (Col 4, Lines 24-35). As aforementioned, the Gibbon reference discloses that transcripts/closed caption information can be sent via web-pages. Therefore, it is the examiner's position one skilled in the art at the time the invention was made would have recognized that the particular teachings of Berstis et al. are applicable to the synchronously displayed closed caption character information and corresponding audio information associated with the web-pages of Gibbon without having relied upon applicant's disclosure. As to there being no motivation to combine the teachings, the Berstis et al. explicitly states that is desirable to translate all incoming communication which is in a different or non-desired language without further user (Col 2, Lines 30-37). Schein et al. supports incoming messages (Figures 19A-C) and access to other incoming on-line information derived from the Internet and transcripts. Gibbon, as aforementioned, is directed towards the generation and delivery of web-pages. Accordingly, the particular usage of the Berstis et al. 'translation' functionality is considered to be desirable in light of the aforementioned express teaching of Berstis et al. as to the desirability of translating incoming communications.

With respect to applicants arguments such that the Berstis reference nether a 'control unit' and a "storing unit which stores contact information for a plurality of translation sites",

and a "video processing unit", the examiner respectfully disagrees. Figure 1 of Berstis

illustrates a "processing unit" [12] as well as a "storing unit" or memory and a "video

processing unit" associated with generating the particular display of the resulting translation.

As to the reference failing to illustrate 'storing of contact information for a plurality of

translation sites', the examiner respectfully disagrees. The rejection sets forth that the Berstis

reference necessarily 'stores contact information' in order to automatically access the

Internet based translation functionality without further user intervention. None of the

required arguments have been presented by applicants to refute the examiner's reasoning as

to the storage of 'contact information'. See MPEP 2112 – Section V. The instant application

appears to provide no special definition of what is meant by a 'plurality of translation sites'.

The recitation of 'plurality of translation sites' appears to be equivalently interpreted as either

a single site which provides translation for a plurality of languages or a plurality of sites

which each individually provide translation for a particular language. The Berstis et al.

reference contemplates the existence of a plurality of translation sites including AltaVista™

which further serves as a translation site for a plurality of languages (Col 1, Lines 61-67).

Therefore, the site AltaVista™ is considered to be a gateway translation site for a plurality of

'translation sites' associated with the particular translation between a plurality of languages

(ex. site for translating Japanese, site for translating French, etc.). Previously presented claim

12 requires that the 'control unit [is] configured to contact a translation site corresponding to

a selected language based on the contact information stored in the storing unit' and

previously presented claim 23 requires 'contacting an internet translation site corresponding

to the selected language by selecting an appropriate translation site from a plurality of

translation sites". As aforementioned, it is the examiner's position that the system

necessarily 'contacts a translation site' or 'appropriate translation site . . . from a plurality of

translation sites' in association with contacting the appropriate portion of AltaVista™ in

order to automatically translate the incoming communication into the desired language. For

example, it is unclear as to why if the user was requesting a translation into English, the

system would 'select' or 'contact' an inappropriate Internet based translation site

corresponding with translations into French.

With respect to the further usage of Mighdoll et al. for the teachings of a "translation

relay site server", no further specific arguments appear to be presented over and above those

already addressed. Accordingly, the arguments are not considered persuasive for the

reasoning previously set forth.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

5.   Claims 21 and 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the

relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. Claim 19 sets forth that the system "scans a signal which includes

language information associated with the closed caption character information to determine if

the first language corresponds to the selected language". Claim 21 further limits the

'language information' of the signal such that the "language information comprises user

language information which defines the selected language and character language

information which defines a language of character information included in the signal". From

the examiner's understanding of the instant application, the application discloses that the

"language information comprises . . . character language information which defines a

language of character information included in the signal" associated with the closed

captioning text. The system further utilizes "language information comprising user language

information which defines the selected language" in order to make a determination as to

whether or not to send the language information to the translation site/relay server (Page 8,

Lines 22 – Page 9, Line 14). However, the claim requires that both the 'character

information' and the 'user language information' are both derived from scanning the same

signal (ex. closed captioning signal). This does not appear to be supported in the

specification as originally filled.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 1, 2, 4, 11-14, 18, 23 and 31-33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Schein et al. (US Pat No. 6,002,394), in view of Gibbon (US Pat No.

6,473,778), and in further view of Berstis et al. (US Pat No. 6,901,367).

        In consideration of claim 1, the Schein et al. reference discloses an internet enabled

"television" (Figure 2) which comprises a "control unit" or associated processor, a "storing

unit" or associated memory that is operable to store Internet address information (Col 8,

Lines 2-7), and a "video processing unit" as necessary to generate and render the various on-

screen displays related to television programming and information retrieved via the Internet

related to programming (Col 4, Line 66 – Col 5, Line 15; Col 6, Lines 13-65; Col 8, Line 3-

13; Col 13, Lines 58 – Col 14, Line 10; Col 18, Lines 7-67; Col 20, Lines 18-28). While

Schein et al. further discloses the ability for a user to order a transcript of a video program,

which as commonly understood in the art corresponds to "closed caption character

information" (Col 24, Lines 14-16), the reference is silent with respect to the particular

creation and delivery method of the transcript.

        In an analogous art pertaining to video distribution systems and in particular those

associated with character information, the Gibbon reference discloses a system and method

whereby an end-user device "receives closed caption character information in a first

language" in the form of a hypermedia document which is further "displayed . . . on a screen

substantially in sync with corresponding audio information" (Figures 2, 6, and 7; Col 3,

Lines 1-17 and 46-57; Col 11, Line 17 – Col 12, Line 34). Accordingly, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to modify

Schein et al. so as to employ the transcript generation and delivery techniques of Gibbon for

the purpose of providing a means by which to produce and deliver high quality video enhanced transcripts in an automated fashion (Gibbon: Col 1, Lines 18-34; Col 15, Lines 12-21).

Taken in combination, the references provide a means by which the Schein et al. system is operable to order a transcript of a program whereupon the "control unit" is "configured to receive closed caption character information in a first language" and to subsequently display the received "closed caption character information on a screen substantially in synch with corresponding audio information". The combined references, however, are silent with respect to the usage particular usage of the Schein et al. "network interface" [72] to receive a translated version of the closed caption character information associated with the received hypermedia or web-page transcript should the user subsequently be unable to read the retrieved page.

In an analogous art pertaining to enhanced communication by providing language translation of received messages, the Berstis et al. reference discloses a device with a "language selection function" associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3, a "control unit" [12] is "configured to receive . . . information in a first language" whereupon "if it is determined that the first language does not correspond to a selected language" [309], the "control unit" [12] is configured to "send the . . . character information to a translation site through a network interface" [311] "based on contact information associated with a plurality of translation sites stored in a storing unit" or memory as necessary to automatically contact the appropriate translation site (ex. contact information for Altavista™ is contact information

associated with a translation site for French, a translation site for Spanish, etc.) and to

"receive the translated . . . character information from the translation site" [316] and to

"display the translated . . . character information on a screen" [317] (Col 7, Line 38 – Col 8,

Line 3). Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made so as to modify the combined references so as to further

translate incoming "closed caption character information" associated with the received

hypermedia with synchronized audio of Gibbon, as taught by Berstis et al., for the purpose of

providing a means to advantageously remove language barriers to viewers and to provide for

the automatic translation of communications for received communications (Berstis et al.:

Col 1, Lines 16-27; Col 2, Lines 21-37).

Therefore, taken in combination, the combined references provide an internet enabled

television such as a PC-TV with a language selection function that is operable to order an

enhanced hypermedia or web-page based transcript of a video program comprising both

synchronous closed captioning and audio. Should the particular received transcript not

correspond to a desired or previously selected user language, the system automatically sends

the communication or web-page to a remote site for translation of the textual information or

closed captioning whereupon the closed captioning transcript is retrieved and presented to the

user for subsequent operation.

Claim 12 is rejected in light of the aforementioned combination of references. The

Schein et al. reference discloses a "network interface" [72] that is "configured to contact a

translation site" such as AltaVista™ in light of the combined teachings. As shown by Berstis

et al., the "storing unit" or memory is "configured to store contact information for at least one

translation site which corresponds to a plurality of languages and an operation program related to translation" (Berstis et al.: Col 1, Lines 61-63). The particular "storing unit" is necessary to be "configured to store contact information for at least one translation site" or the system would not be able to automatically contact the associated remote translation site. The "TV" further comprises a "control unit" or processor that is "configured to contact a translation site corresponding to a selected language based on the contact information stored in the storing unit, to transmit closed character information to be translated" associated with the received transcript as taught by Gibbon "in accordance with the operation program stored in the storing unit and to receive translated closed caption character information from the translation site" (Berstis et al.: Col 7, Line 38 – Col 8, Line 3). Finally a, "video processing unit" associated with the internet enabled television of Schein et al. is subsequently "configured to display the translated closed caption character information on a screen substantially in synch with corresponding audio information" in connection with the user playing back the audio associated with the received hypermedia transcript (Gibbon: Col 12, Lines 7-34).

Claim 18 is rejected in light of the combined teachings as previously set forth which disclose "a control method for a TV having a language selection function". In particular, the Schein et al. reference is operable to "receive closed caption character information in a first language" corresponding to received hypermedia or web-page transcripts per Gibbons. Subsequently, "if it is determined that the first language associated with the closed caption character information does not correspond to a selected language" understandable by the operator, the system "selects the appropriate translation site based on the selected language

and contacts the appropriate translation site based on previously stored contact information

related to a plurality of translation sites" such as AltaVista™ (Berstis et al.: Figure 3). The

method subsequently, "requests translation of the closed caption character information from

the first language to the selected language by transmitting the closed caption character

information to the appropriate translation site" [311] and "receives closed caption character

information which has been translated into the selected language from the translation site"

[316] (Berstis et al.: Col 7, Line 38 – Col 8, Line 3). The "translated closed caption

character information [is displayed] on a screen" associated with the Schein et al. display

"substantially in synch with corresponding audio information" upon being sent back to the

user via the translation server (Berstis et al.: Col 7, Line 38 – Col 8, Line 3).

In consideration of claim 23, the combined references discloses a "control method for a

TV having a language selection function". As aforementioned, the Schein et al. reference

discloses an Internet enabled television such as a PC-TV that is operable to access

information retrieved over the internet and to further order program transcripts. The

reference, however, is silent with respect to details regarding ordered transcript. The Gibbon

reference discloses methods for providing hypermedia or enhanced transcripts which can be

presented substantially in synch with corresponding audio information. Accordingly, it

would have been obvious to one having ordinary skill in the art at the time the invention was

made to modify Schein et al. so as to employ the transcript generation and delivery

techniques of Gibbon for the purpose of providing a means by which to produce a high

quality video enhanced transcripts requiring in an automated fashion (Gibbon: Col 1, Lines

18-34; Col 15, Lines 12-21). The combined references, however, are silent with respect to the particular translation of the received enhanced transcript or closed caption information.

The Berstis et al. reference discloses a method for the selection of languages associated with a received communication including but not limited to web-pages (Col 4, Lines 24-35). In particular, as outlined in Figure 3 (Col 7, Line 38 – Col 8, Line 3), the system "determines if a language of . . . character information included in a signal corresponds to a selected language" [309], "requests translation of the . . . character information by contacting an internet translation site corresponding to the selected language by selecting an appropriate translation site from a plurality of translation sites" [311] (Col 1, Line 47 – Col 2, Line 20), "transmits . . . character information to the selected translation site if the language of the . . . character information included in the signal is different from the selected language" [309/311], "receives the translated . . . character information from the translation site" [316] and "displays the translated character information on a screen" [317]. It would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify the combined references so as to further translate incoming communications or supplemental data as taught by Berstis et al., for the purpose of providing a means to advantageously remove language barriers to viewers and to provide for the automatic translation of communications for received communications (Berstis et al.: Col 1, Lines 16-27; Col 2, Lines 21-37). Accordingly, taken in combination, the references provide a "control method for a TV having a language selection function" as claimed.

Claims 2 and 13 are rejected wherein the system further comprises an "audio processing unit" which is "configured to process audio information synchronized with the translated character information displayed on the screen" (Gibbon: Col 12, Lines 7-34).

In consideration of claim 4, Schein et al. teaches that "contact information" for web-pages is stored as a "URL (Uniform Resource Locator)" (Schein et al.: Col 18, Lines 20-43). Berstis discloses the particular usage of the AltaVista™ Translation web-page for facilitating remote translations. Accordingly, taken in combination, the "contact information comprises a URL (Uniform Resource Locator)".

Claims 11 and 14 are rejected in light of the combined references wherein the "control unit" or processor of Schein et al. is "configured to generate an OSD (On Screen Display) based on the translated character information" (such as that illustrated in Figures 2 or 7 of Gibbons) and to "provide the translated character information to the video processing unit in order to display the OSD on the screen" dependent upon the particular format required by the display device (Schein et al.: Col 8, Lines 7-13).

Claim 31 is rejected wherein the "signal comprises a broadcast signal" from which the closed captioning was derived (Gibbons: Col 6, Lines 24-29; Col 11, Lines 25-29).

Claims 32 and 33 are rejected wherein the "translation site is selected from a plurality of previously stored translation sites" such as those provided by AltaVista™ (Berstis et al.: Figure 3). As aforementioned, the claims do not require that the "plurality of translation sites" are necessarily distinctive entitles as opposed to a single entity which serves as a "plurality of translation sites" for a plurality of languages (ex. contact information for AltaVista™ serves as contact information related to a translation site for French and a

translation site for Japanese and is therefore logically related to a plurality of translation

sites).

8.   Claims 5-10, 15-17, 19, and are rejected under 35 U.S.C. 103(a) as being unpatentable

over Schein et al. (US Pat No. 6,002,394), in view of Gibbon (US Pat No. 6,473,778), in

view of Berstis et al. (US Pat No. 6,901,367) and in further view of Mighdoll et al. (US Pat

No. 5,918,013).

In consideration of claims 5 and 15, the combined references are silent as to the particular

usage of a "transaction relay server". In an analogous art pertaining to the distribution of

information to a network television, Mighdoll et al. discloses the usage of a "translation relay

site server" [5] for facilitating access to and retrieving information from remote servers. In

particular, the subscriber terminal "contacts a translation relay site server" [5] "by using a

URL associated" with the remote server [4] and subsequently "receives . . . character

information from the translation relay site server" (Mighdoll et al.: Figures 4A, 6, and 9).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time

the invention was made so as to particular employ a "translation relay server" such as the of

Mighdoll et al. for the purpose of employing a proxy server in order advantageously improve

the quality of web-pages received from the internet which are subsequently displayed on

television devices (Mighdoll et al.: Col 1, Line 44 – Col 2, Line 6).

Claim 6 is rejected wherein the "control unit" or processor of Schein et al. is "configured

to contact the translation relay site server through a network interface unit" [72] associated

with a modem.

Claims 7 and 16 are rejected in view of the aforementioned combination of references wherein the "translation relay server" [5] of Mighdoll et al. is "configured to receive closed caption character information and language information from the control unit, to translate the transmitted closed caption character information into a language corresponding to the language information" should a cached version of the requested translation exist in memory and "to transmit the translated closed caption information to the control unit" for subsequent display on the receiver (Mighdoll et al: Figures 4A and 6).

Claim 8 is rejected wherein the "language corresponding to the language information is a language selected by a user" (Berstis et al.: Figure 2; Col 6, Lines 33-52).

Claim 9 is rejected in light of the combined references wherein the "translation relay site server" [5] is "configured to receive translated closed caption character information from the translation site in accordance with the selected language and to transmit the translated closed caption character information to the control unit" for subsequent display (Mighdoll et al: Figures 4A and 6).

Claim 10 is rejected in light of the aforementioned combined references wherein the "translation site" such as AltaVista™ is "configured to receive the closed caption character information to be translated" from the proxy server of Mighdoll et al. or "translation relay site server" [5], "to translate the closed caption character information into the selected language and to provide the translated closed caption character information to the translation relay site server" for transcoding and eventual display on the client terminal.

Claim 17 is rejected wherein the "translation relay site server" [5] is "configured to receive translated closed caption character information from the translation site and to

transmit the translated closed caption character information to the control unit" (Mighdoll et al: Figures 4A and 6).

Claim 19 is rejected in light of the aforementioned combination of references as previously set forth. In particular, as previously set forth, the Berstis et al. reference discloses "receiving closed caption character information in a first language and contacting an appropriate translation site" [311] "through a network interface if it is determined that the first language associated with the closed caption character information does not correspond to a selected language", "scanning a signal which includes language information associated with the closed caption character information" (Col 8, Lines 57-65), and "transmitting the closed caption character information included in the signal to a . . . server if the first language of the closed caption character information included in the signal is different from the selected language" (Berstis et al.: Figure 3). Figure 4A of the Mighdoll et al. reference illustrates the particular usage of a "translation relay site server" [5] interconnected to remote servers wherein communications derived from the client are redirected via the "translation relay site server" [5]. Therefore, taken in combination when using a network distribution architecture which utilizes a proxy server, the method comprises "transmitting the closed caption character information included in the signal to a translation relay site server . . . and transmitting the closed caption character information from the translation relay site server to the appropriate translation site" (ex. AltaVista™). The method finally "transmits the translated closed caption character information from the translation site to the translation relay site server" for subsequent delivery to and display by the client.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- The Gibbon et al. (US Pat No. 6,098,082) reference explicitly incorporated by reference into Gibbon ('778) provides evidence as to the desirability of video transcripts.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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571-272-1000.

                                                    Scott Beliveau
                                                    Examiner
                                                    Art Unit 2623

SEB
July 6, 2006